**22578. Adulteration and misbranding of Injection Malydor and misbranding of Malydor Pills. U. S. v. William Arthur Jewitt, Charles Arthur Jewitt, and Homer Moore Jewitt (Williams Manufacturing Co.). Pleas of guilty. Fine, $300 and costs.** (F. & D. no. 28156. I. S. nos. 34710, 34714.)

This case was based on interstate shipments of drug preparations, the labels of which contained false and fraudulent curative and therapeutic claims. The bottle, carton, and circular of the Injection Malydor bore a declaration of acetanilid, the statement on the bottle and carton labels differing slightly from that appearing in the circular. Analysis showed that the article contained less acetanilid than declared in either statement. The Injection Malydor was not antiseptic when used in accordance with directions.

On November 23, 1932, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the district court an information against William Arthur Jewitt, Charles Arthur Jewitt, and Homer Moore Jewitt, copartners, trading as the Williams Manufacturing Co., Cleveland, Ohio, alleging shipment by said defendants in violation of the Food and Drugs Act as amended, on or about December 10, 1930, from the State of Ohio into the State of Pennsylvania, of a quantity of Malydor Pills which were misbranded, and on or about May 19, 1931, from the State of Ohio into the State of Pennsylvania, of a quantity of Injection Malydor which was adulterated and misbranded. The Injection Malydor was labeled in part: (Bottle and carton) "Injection Malydor * * * Each Fluid Oz. contains one and 1-6 grains Acetanilide. Bar-Ben Laboratory Co. * * * Cleveland, O."; (circular) "Each Fluid Ounce Contains 1 1/16 Grains Acetanilide." The Malydor Pills were labeled in part: "Malydor Pills * * * Bar-Ben Laboratory Co. Sole Proprietors, Cleveland, Ohio."

Analyses of samples of the article by this Department showed that the Malydor Pills contained plant material and extracts including juniper, buchu, and cubeb, and a compound of magnesium, coated with sugar and calcium carbonate; and that the Injection Malydor consisted of a solution containing 0.6 grain acetanilid per fluid ounce and small amounts of phenol, boric acid, glycerin, and a zinc compound, and 95.7 percent of water. Bacteriological tests of the Injection Malydor showed that it was not an antiseptic and did not have an antiseptic effect when used as directed.

It was alleged in the information that the Injection Malydor was adulterated in that its strength and purity fell below the professed standard and quality under which it was sold since it was represented to contain (bottle and carton) 1⅙ grains and (circular) 1 1/16 grains of acetanilid in each fluid ounce, and was represented to be antiseptic, when used as directed; whereas it contained not more than 0.6 grain of acetanilid in each fluid ounce, and was not antiseptic when used as directed.

Misbranding of the Injection Malydor was alleged for the reason that the statement, "Each Fluid Ounce Contains 1⅙ Grains Acetanilide", borne on the bottle label and carton, and the statements, "Each Fluid Ounce Contains 1 1/16 Grains Acetanilide, * * * Injection Malydor is an Antiseptic preparation * * * This will * * * also have an antiseptic effect", contained in the circular, were false and misleading.

Misbranding of both products was alleged for the reason that certain statements, designs, and devices, regarding the curative and therapeutic effects of the articles, falsely and fraudulently represented that the Malydor Injection was effective as a treatment for certain infections of the orificial passages, and effective, when used in conjunction with Malydor Pills as a treatment for certain infections of the orificial passages, and effective for the treatment of inflammation due to infection, pain, and soreness; and that the Malydor Pills were effective when used alone or in connection with Injection Malydor, as a urinary renovator for male and female, as a remedy and cure for all diseases of the urinary passages; as a preventive and relief for complications attending gonorrhoea and gleet when used in connection with Injection Malydor; to prevent and relieve attending inflammation and to keep the disease from becoming chronic; as a preventive and relief of the posterior or far back inflammation, catarrh and inflammation of the bladder, scalding or burning in passing water, retention of urine, chorded, swollen testicles, gonorrhoeal rheumatism and bubo; effective to prevent relapse and assist in a quick return to health; effective as a combination of specifics each a cure for a definite ailment of the urinary organs whether in the blood or along the canal of the penis; as a treatment for

gonorrhoea and gleet; as a relief for the fever, inflammation and soreness of gonorrhoea, and as a treatment for gonorrhoea, gleet, leucorrhoea and spermatorrhoea.

On May 12, 1934, the defendants entered pleas of guilty, and the court imposed a fine of $300 and costs.

M. L. WILSON, *Acting Secretary of Agriculture.*

**22579. Misbranding of Weldona for Rheumatism, Collins Fever and Liver Medicine, and Eucaline Tonic Compound Regular; and adulteration and misbranding of Eucaline Tonic Compound Tasteless. U. S. v. John A. Salter (Vicksburg Chemical Co.). Plea of guilty. Fine, $250. Sentence suspended upon payment of costs.** (F. & D. no. 29368. Sample nos. 7129-A, 7130-A. I. S. nos. 44372, 48752.)

This case was based on interstate shipments of various drug preparations, the labelings of which bore false and fraudulent curative and therapeutic claims. It also was claimed for the Eucaline Tonic Compound Tasteless that it was free from dangerous medicine, whereas it contained acetanilid, a drug that might be dangerous. The acetanilid declaration was incorrect since the article contained less than claimed on the label.

On November 22, 1933, the United States attorney for the Southern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the district court an information against John A. Salter, trading as the Vicksburg Chemical Co., Vicksburg, Miss., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about October 7, 1931, and January 12, 1932, from the State of Mississippi into the States of Missouri and New York, of quantities of Weldona for Rheumatism and Collins Fever and Liver Medicine, respectively, which were misbranded; and on or about May 24, 1932, from the State of Mississippi into the State of Texas, of a quantity of Eucaline Tonic Compound Regular which was misbranded, and a quantity of Eucaline Tonic Compound Tasteless which was adulterated and misbranded.

Analyses of samples of the article by this Department showed the Weldona for Rheumatism to consist of gray-colored tablets coated with a mixture of calcium carbonate and sugar, and to contain acetylsalicylic acid, glycyrrhiza, plant extractives, starch, and a small amount of magnesium, probably as carbonates; that the Collins Fever and Liver Medicine contained chiefly water, alcohol, invert sugar, licorice root, colocynth, resins of podophyllum, and small amounts of magnesium and phosphate compounds and an unidentified alkaloid; that the Eucaline Tonic Compound Regular consisted essentially of salts of cinchona alkaloids (quinidine and cinchonine, 1 g per 100 cc), ferric chloride, a trace of capsicum extract, a bitter resin, methyl salicylate, and eucalyptus oil, alcohol, sugar, and water; and that the Eucaline Tonic Compound Tasteless consisted essentially of cinchona alkaloids (quinidine and cinchonine, 1.43 g per 100 cc), acetanilid (2.1 grains per fluid ounce), a trace of eucalyptol, sugar, and water.

It was alleged in the information that the Eucaline Tonic Compound Tastless was adulterated in that its strength and purity fell below the professed standard and quality under which it was sold, since it was represented to contain 3 grains of acetanilid to each fluid ounce, whereas it contained not more than 2.1 grains of acetanilid to each fluid ounce.

Misbranding of the said Eucaline Tonic Compound Tasteless was alleged for the reason that the statements "Free from Dangerous Medicine", borne on the carton, and the statement "Acetanilid 3 grains to each fluid ounce", borne on the cartons and bottle labels, were false and misleading since the article contained acetanilid, a dangerous drug, and each fluid ounce of the article contained less than 3 grains of acetanilid; and for the further reason that the article contained acetanilid and the label failed to bear a statement of the quantity or proportion of acetanilid contained therein.

Misbranding of all products was alleged for the reason that the labeling contained statements regarding the curative and therapeutic effects of the articles which were false and fraudulent in the following respects: the Weldona for Rheumatism was falsely and fraudulently represented to be effective as a treatment, remedy, and cure for rheumatism, rheumatism of the joints, sciatica, lumbago and rheumatic neuritis, or muscular rheumatism; effective as a treatment, remedy, and cure for severe cases of rheumatism, rheumatism of the joints, sciatica, lumbago, and rheumatic neuritis, and muscular rheumatism; the Collins Fever and Liver Medicine was falsely and fraudulently represented to be effective as a fever and liver medicine; effective as a treatment, remedy,